

FILED

UNITED STATES COURT OF APPEALS

DEC 21 2010

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

ANDREW W. SHALABY; et al.,

Plaintiffs - Appellants,

v.

NEWELL RUBBERMAID, INC.; et al.,

Defendants-cross-claimants -
Appellees,

and

WESTERN INDUSTRIES, INC.; et al.,

Cross-defendants - Appellees.

No. 09-56331

D.C. No. 3:07-cv-02107-MMA-
BLM

Southern District of California,
San Diego

ORDER

Before: FRIEDMAN, Senior Circuit Judge *

The Rubbermaid appellees' opposed motion for an award of costs is granted in part. Costs are awarded in the amount of \$31.20. 9th Cir. R. 30-2. The cross-motion for imposition of sanctions is denied.

The Worthington appellees are awarded their requested costs of \$29.76.

No further filings will be entertained in this appeal.

This order serves to amend the court's previous mandate. Fed. R. App. P. 39(d)(3).

* The Honorable Daniel M. Friedman, Senior United States Circuit Judge for the Federal Circuit, sitting by designation.